

CITY COUNCIL PROCEEDINGS

Tuesday, September 7, 2010

1. **CALL TO ORDER AND ROLL CALL**

Mayor Osborne called the regular September 7, 2010 council meeting to order at 6:00 p.m. in the council chambers.

Those present were: Mayor Osborne, Deputy Mayor Wilson and Council Members Ageton, Appelbaum, Becker, Cowles, Gray, Karakehian and Morzel.

Mayor Osborne announced that an organization would be captioning the first part of the meeting this evening as a trial via web streaming. The captioning would occur through the end of the consent agenda.

Mayor Osborne announced the vacancies for the Beverages Licensing Authority, the Board of Zoning Adjustment and the Water Resources Advisory Board. The deadline to submit applications would be September 20.

Mayor Osborne then spoke to the wild fire encouraging the patience and understanding of all affected residents. The sheriff's office was to begin damage assessments on Wednesday when specific areas were cleared and safe to enter. She acknowledged the efforts of all of the agencies and individuals involved in fighting the fire.

A. **U.S. Census Bureau Presentation. – 6:10 p.m.**

Larry Mugler with the United States Department of Commerce, U.S. Census Bureau, presented some statistics regarding the 2010 census and presented the City of Boulder with a plaque of appreciation for its participation in the census.

2. **PUBLIC PARTICIPATION and COUNCIL/STAFF RESPONSE** – 6:17 p.m.

1. Gary Swanstrom spoke to the South Boulder Flood mitigation efforts. He commented that his 21 acre farm that had been in his family for 21 years would be destroyed, along with a new house and barn. www.rescuemarshall.com. He respectfully submitted his opinion to Council that this plan be removed from consideration. He noted he was an unwilling seller.
2. Ron Broome pooling time with Emily Tessar and Sofia Tessar spoke to his concern about the future of the Pottery Lab. He supported having the city subsidize the pottery lab for a short term timeframe until privatization could occur. The pottery lab was started by a world renowned artist and is nationally recognized for its education program. He wanted Council to ensure the integrity of the process and future of the pottery lab. Please give scrutiny to the privatization plan and the RFP and selection process. Friends of the Pottery Lab endorsed Boulder Studio Arts in the RFP selection.
3. Seth Brigham criticized Council Member Cowles regarding a recent home assessment and commented that he discredits his own environmental initiatives.
4. Ruth Blackmore spoke to the South Boulder Creek Flood mitigation meeting that occurred last Thursday. She noted there was an inadequate notification process for residents and the County expressed surprise that it had not been notified of condemnation of County properties. She asked Council to take charge as she felt city staff was on the

wrong track. Council was requested to remove the option of taking homes along 93 and Marshall before the issue moved forward to the WRAB in November. She favored the option that along CU on 36.

5. Robert Sharpe encouraged residents to help the families affected by the fire. He asked the City and County to help identify, protect and restore the historic and cultural resources destroyed by the fire. Regarding the South Boulder Creek Flood issue, he asked Council to reign in city staff and take control over the process as staff ignores promises to the public.
6. Fred Rubin showed a photo presentation related to SmartRegs showing where approximately 65% of the Pearl Street Mall stores had their doors wide open during the day.
7. Peter Richards spoke to the News From City Hall ad in the Daily Camera commenting that other than the date and time, there was no information about what items were on the agenda including public participation.

City Manager Feedback: - 6:40 p.m.

1) Regarding the wildfire, Ms. Brautigam thanked all of those involved in fighting the fire. She noted the fire was currently affecting about 7100 acres, primarily in the Sunshine Canyon area. 200 firefighters, 8 tankers and 3 helicopters were assisting in the fire. 90,000 gallons of fire retardant had been placed on the fire. The fire retardant was being placed around a perimeter to limit the spread of the fire as the wind caused the fire to spread very quickly. No injuries had been reported. Incident command would be ramping up over the next several days. Incident command had been transitioned into a Federal type II event and was being upgraded to a type I event which would bring in Federal assistance with the fire. The Boulder Reservoir would remain closed to provide a housing area for firefighters as long as needed. The emergency center had been moved to the YMCA and a call center number of 303-413-7730 had been established. Residents could make donations by calling 2-1-1.

Fire Chief Larry Donner reported on condition of the fire noting that it this was very complex and the largest he had seen in his twenty year history with the City. It was anticipated that tougher times were ahead as dryer, hotter weather moved in.

City Council Response: - 6:58 p.m.

Mayor Osborne acknowledged Mr. Sharpe's comments and commented that the city would certainly be prepared to assist with fire efforts in any way possible.

Deputy Mayor Wilson spoke to the South Boulder Flood mitigation project and noted that it would go before the Water Resources Advisory Board soon for the options to be vetted.

Council Member Morzel spoke to the South Boulder Flood mitigation project and asked if Council Members had received a report on the item. Ms. Brautigam responded that she did not believe a report had gone out but that she would see that a background report was provided.

Council Member Morzel supported a suggestion to place the pottery lab under the Arts Commission. Ms. Brautigam clarified that the City was seeking methods to provide services at lower costs.

In response to Mr. Richards' comments about the News From City Hall ad in the Daily Camera, City Clerk Lewis clarified that information about specific agenda items were placed in the legal notice section of the Sunday Daily Camera.

Council Member Gray agreed that a report regarding the South Boulder Creek flood mitigation options would be helpful. She also suggested that Pearl Street Mall merchants left doors open due to the strict limitations on what could be placed on the sidewalk and perhaps Council could ask the Downtown Management Commission to consider allowing more options for placement of items outside of the store fronts.

Council Member Morzel requested periodic updates on the South Boulder Flood Mitigation efforts.

Council Member Cowles commented that property owners should have at least been given a reason as to why the flood mitigation option running through their property was being considered.

3. **CONSENT AGENDA: - 7:15 p.m.**

- A. **CONSIDERATION OF A MOTION TO ACCEPT THE AUGUST 3, 2010 CITY COUNCIL MEETING MINUTES.**
- B. **CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARIES OF THE JULY 27, 2010 CITY COUNCIL STUDY SESSION REGARDING THE PRIORITY-BASED BUDGETING (PBB) PROCESS AND THE CAPITAL IMPROVEMENT PROGRAM (CIP) FOR 2011-2016.**
- C. **CONSIDERATION OF A MOTION APPROVING POTENTIAL PROJECTS FOR SUBMITTAL TO THE DENVER REGIONAL COUNCIL OF GOVERNMENTS FOR THE 2012-2017 TRANSPORTATION IMPROVEMENTS PROGRAM.**
- D. **CONSIDERATION OF A RESOLUTION CONCERNING THE PROPOSED CITY OF BOULDER, COLORADO TAXABLE PENSION OBLIGATION BONDS, SERIES 2010, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,500,000 AUTHORIZING THE OFFICIAL NOTICE OF BOND SALE WITH RESPECT TO SAID SERIES 2010 BONDS; PRESCRIBING CERTAIN DETAILS CONCERNING SAID PROPOSED SALE AND SAID SERIES 2010 BONDS; APPROVING THE FORM OF A PRELIMINARY OFFICIAL STATEMENT; AND PROVIDING THE EFFECTIVE DATE OF THIS RESOLUTION.**
- E. **CONSIDERATION OF A MOTION TO ADOPT AN EMERGENCY ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF BOULDER, COLORADO, OF ITS WATER AND SEWER REVENUE BONDS, SERIES 2010, IN AN AGGREGATE PRINCIPAL AMOUNT OF \$ _____, FOR THE PURPOSE OF PROVIDING FUNDS FOR IMPROVEMENTS TO THE WASTEWATER TREATMENT FACILITY, FUNDING A RESERVE FUND AND PAYING THE COSTS OF ISSUANCE OF THE SERIES 2010 BONDS; PRESCRIBING THE FORM OF THE SERIES 2010 BONDS AND PROVIDING FOR THE SALE OF SAID SERIES 2010 BONDS; PROVIDING FOR THE PAYMENT AND REDEMPTION OF SAID SERIES 2010 BONDS FROM AND OUT OF THE WATER AND**

WASTEWATER FEES; PROVIDING OTHER DETAILS AND APPROVING OTHER DOCUMENTS IN CONNECTION WITH SAID SERIES 2010 BONDS; AND DECLARING AN EMERGENCY AND PROVIDING THE EFFECTIVE DATE HEREOF.

City Clerk Lewis announced that the BID came in at \$9,980,000.

- F. **CONSIDERATION OF AN EMERGENCY ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF THE 2010 WATER AND SEWER REVENUE BONDS PROCEEDS AND 2010 DEBT SERVICE ON THE 2010 WATER AND SEWER REVENUE BONDS TO THE 2010 BUDGET IN THE WASTEWATER FUND.**
- G. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7752 AMENDING SECTION 5-7-4, "ALCOHOL OFFENSES: POSSESSION AND SALE BY MINORS UNLAWFUL," B.R.C. 1981, TO MORE CLOSELY MIRROR THE STATE STATUTE DEFINING THIS VIOLATION.**

Judge Cook briefly spoke to the reason for allowing the Municipal Court to hear minor in possession charges. This allowed for alcohol screens with the first offense. The program was aimed at achieving better education/treatment results.

- H. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE TO REVISE THE FLOODPLAIN REGULATIONS UNDER SECTIONS 9-3-3 THROUGH 9-3-6 AND 9-16-1, B.R.C. 1981.**
- I. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF VACATION TO VACATE THE EXISTING WALDEN CIRCLE RIGHT-OF-WAY LOCATED ENTIRELY WITHIN THE BRIDGEWALK DEVELOPMENT LOCATED AT 602 WALDEN CIRCLE. (#LUR2010-00016). APPLICANT/ PROPERTY OWNER: BOULDER HOUSING PARTNERS.**

Council Member Wilson moved, seconded by Gray to approve the consent agenda items 3A through 3I.

Council Member Morzel indicated she was NOT present at the July 27 study session, therefore item 3D needed to be amended. Regarding item 3C, she was surprised there weren't any maps or routes marked for any of the proposals. She was interested in how much public input there was and why it hadn't been brought forward for a public hearing. She hoped the public had been well notified in terms of where the routes would be.

Randall Rutsch from Transportation commented that more public outreach and public process had been done than with previous projects.

Council Member Morzel moved to amend the main motion to have item 3C removed and brought back at the September 21 council meeting with maps included. The motion failed for lack of a second.

Council Member Appelbaum clarified that all of the projects were included in the Transportation Master Plan.

Vote was taken on the main motion to approve consent agenda items 3A through 3I. The motion carried unanimously 9:0. 7:28 p.m.

4. **CALL- UP CHECK IN: - 7:29 p.m.**

Discussion ensued regarding the potential for annexing the Cherryvale Road properties and the implications of extending out-of-city utility agreements for the properties. Council indicated that the item would be called up and requested to come back at a future meeting.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS: - 7:42 p.m.**

A. **ITEMS RELATED TO SMARTREGS:**

1. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7724 REPEALING AND REENACTING CHAPTER 10-2, "HOUSING CODE" B.R.C. 1981 TO ADOPT BY REFERENCE, THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC) WITH CERTAIN AMENDMENTS AND DELETIONS AND SETTING FORTH RELATED DETAILS.**
2. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7725 AMENDING SECTION 4-20-18, "RENTAL LICENSE FEE," AND CHAPTER 10-3, "RENTAL LICENSES," B.R.C. 1981, TO PROVIDE FOR COMPREHENSIVE ENFORCEMENT OF CHAPTER 10-2 "PROPERTY MAINTENANCE CODE," B.R.C. 1981, THROUGH A SYSTEM OF RENTAL LICENSES FOR ALL DWELLING AND ROOMING ACCOMMODATIONS IN THE CITY RENTED TO TENANTS AND SETTING FORTH RELATED DETAILS.**
3. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7726 AMENDING CHAPTER 4-4, "BUILDING CONTRACTOR LICENSE," CHAPTER 4-20, "FEES," CHAPTER 10-1, "DEFINITIONS," CHAPTER 10-2, "PROPERTY MAINTENANCE CODE," AND CHAPTER 10-3, "RENTAL LICENSES," B.R.C. 1981 REGARDING ENERGY CONSERVATION FOR EXISTING RESIDENTIAL RENTAL STRUCTURES, AND SETTING FORTH RELATED DETAILS.**

Executive Director of Community Planning, David Driskell provided introductory comments to the item.

Kirk Moors, Senior Plans Examiner, reviewed the timeline for the SmartRegs ordinances which included a third reading on September 21. He reported that access to the International Property Maintenance Code had been provided on their website as well as the SmartRegs website. He noted that he had provided the Board of Zoning Adjustment with a presentation that highlighted how the Board might be impacted. The largest change would be having a hearing officer option which the Board of Zoning Adjustment supported. Mr. Moors then highlighted the IPMC and Rental Licensing Code changes that were made to the ordinance since 1st reading. He provided clarifications regarding the \$250 investigative fee and the IPMC for existing structures and rental housing, which would apply to both rental and owner occupied housing. He suggested that a future discussion with Council could occur on rental licensing and enforcement that would include defining “danger” in relation to existing building use, the requirement for providing a license copy to the tenant, and administrative remedy vs. penalties.

Council Member Cowles asked about accessibility for residents to get a copy of the city’s code. Mr. Moors responded that the goal would be to have a complete copy with Boulder’s changes on the website prior to the effective date of the ordinance.

Council Member Morzel asked about the investigative fee and how the fee would be triggered. Mr. Moors responded that the fee was intended to cover the administrative costs for inspecting the properties. Ms. Morzel asked what percentage of units might be noncompliant. Mr. Moors responded that he did not have those statistics.

Mayor Osborne commented this area would be a topic for further discussion in 2011.

Council Member Appelbaum suggested noncompliant properties should be penalized over the administrative remedies. Mr. Moors explained that the administrative remedies require more cooperation between the property owners and the City. Council Member Appelbaum wanted to understand how the noncompliant properties would be dealt with in an appropriate and consistent manner.

Council Member Ageton shared Council Member Appelbaum’s concerns about the enforcement piece and suggested study session. She raised concern about language in attachment A, Ordinance 7724 on page 19 and using the word “structures” versus the word “premises” and commented that it should be consistent. Another example was noted on page 32 of the item. On page 21, she could not pinpoint what the “costs” were that were referenced.

Yael Gichon, Residential Sustainability Coordinator, described the energy efficiency requirements as approved via option C at the July 6 Council meeting.

Scott Wooley with the Environmental Advisory Board spoke to the Board's position on the SmartRegs ordinances. He noted the Board felt that tenant education was an important component with the regulations. Tenants could be provided with information about energy efficient rental units with lower utility bills. There was no consensus on the use of carbon offsets. Some members believe those methods are effective and equitable and others felt the offsets didn't provide tangible reductions and no benefits to tenants who continue to pay the CAP tax. The EAB did reach consensus on the use of carbon offsets in the hardship provision in the SmartRegs. The Board highly commended the work of city staff.

Council Member Ageton asked about the County's administrative costs and how those costs would be recovered. This information would come forward to Council later this fall as the contracts had not been issued yet. Some of the costs would be overhead for the program that would be funded through grants and other municipalities. In addition, every property owner that participated in the program would be required to sign a waiver so that statistics could be provided. More information about the data aggregation would be useful as well as being able to see an analysis of how administrative costs would be included in the data gathering.

Council Member Cowles suggested requiring a green lease provision.

The public hearing was opened: - 9:12 p.m.

1. Mitchell Smith spoke to inoperable vehicles on property which is a part of the IPMC. He asked Council to adopt the IPMC code instead and leave the implementation section as they are. The IPMC had clear and concise language.
2. Francoise Poinsatte raised concern about waiting the entire 8 years for the implementation date. She felt simple things could get in faster such as attic and crawlspace insulation, weather stripping, air infiltration and CFLs. The fire is symbolic of things to come as the climate changes.
3. Preston Dickey with New Era Colorado raised concern about the us-versus-them mentality that is taking place over SmartRegs. It's no longer about students or shady landlords but rather about working together to achieve the larger goal. Sunshine is the best disinfectant when it comes to the Xcel data issues.
4. Laszlo Nemeth commented that this was the best city council that he'd dealt with. As a landlord, he felt there were many high tech extensive solutions. There were no points for the less expensive items like a clothes line, garden etc... and he didn't feel like the carbon offsets were local.
5. Leonard May on behalf of PLAN Boulder County commented that Greenhouse gas emissions had gone up since the Climate Action Plan was implemented in 2002. PLAN Boulder County strongly supported SmartRegs and the concepts behind option C. It would like to see a more results oriented policy, the phasing term accelerated to 4 years, and to require performance schedule benchmarks.

6. Ruth Blackmore agreed with Leonard May and Francoise Poinsette's comments. She spoke to the difficulty some residents may have in getting the financing for energy efficient upgrades and that some homeowners who had worked through the city were unable to refinance their homes because of the current state of the economy.
7. Cathy Lee noted the importance of assessing whether the results hoped for were really being achieved. She also commented that only 10% of city residents were signed up for Windsource through Xcel and the City of Boulder wasn't even signed up. Doing so would ensure Kyoto goals were met.
8. John Pugh served on the community working group and recommended Council adopt the ordinance as presented.
9. Dan Estey pooling time with Tom Orlando supported the alternative staff presented tonight. As a real estate broker and tenant in Boulder he felt the extended 2019 implementation timeline was imperative. It would be more important to get it done right versus getting it done quickly. Find a way to provide incentives to "early adopters."
10. Sheila Horton pooling time with Rita Novak and Michael Wilson spoke to her disappointment and discouragement with discussion of a 4 year implementation period. In order for her to buy-in, all the phases and flexibility needed to be present.
11. Angela Vander Meyden a local property manager commented that Council was asking property owners to make a large investment. Council should make sure there was some kind of payoff. In addition, Council should allow the time for property managers to implement the upgrades.
12. Don Wilson commented that renters often pay the price for property upgrades.
13. Leslie Glustrom encouraged Council to move forward with the ordinances as presented.

There being no further speakers the public hearing was closed at 9:50 p.m.

Council Member Cowles moved, seconded by Gray to adopt the following as presented in the agenda memo, and substituting the buff handout presented by the CAO:

- 1) Adopt Ordinance No. 7724, as amended at second reading per Attachment A repealing and reenacting Chapter 10-2, "Housing Code" B.R.C. 1981 to adopt by reference, the 2009 edition of the International Property Maintenance Code (IPMC) with certain amendments and deletions and setting forth related details.
- 2) Adopt Ordinance No. 7725 as amended at second reading per Attachment C, amending Section 4-20-18, "Rental License Fee," and Chapter 10-3, "Rental Licenses," B.R.C. 1981, to provide for comprehensive enforcement of Chapter 10-2 "Property Maintenance Code," B.R.C. 1981, through a system of rental licenses for all dwelling and rooming accommodations in the city rented to tenants and setting forth related details.

- 3) Adopt Ordinance No. 7726 as amended at second reading per Attachment E, amending Chapter 4-4, "Building Contractor License," Chapter 4-20, "Fees," Chapter 10-1, "Definitions," Chapter 10-2, "Property Maintenance Code," and Chapter 10-3, "Rental Licenses," B.R.C. 1981 regarding energy conservation for existing residential rental structures, and setting forth related details.

And including the buff colored handout presented by CAO which replaced pages 66-69 and provided the SmartRegs prescriptive Pathway.

- 4) Directing staff to return to Council with regular reports on the progress of the program, including possible refinements as outlined on page 15.

The motion carried unanimously 8:0; Becker absent. 10:15 p.m.

B. THREE ITEMS RELATED TO TREE PROTECTION:

1. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7712 AMENDING TITLES 4 AND 6, B.R.C. 1981 TO ESTABLISH REQUIREMENTS FOR CERTIFIED ARBORISTS LICENSES AND OTHER REQUIREMENTS RELATED TO THE PLANTING, CUTTING, REMOVING, OR APPLYING OF PESTICIDES TO ANY TREES; AND**
2. **SECOND READING AND CONSIDERATION OF A MOTION TO ADOPT ORDINANCE NO. 7713 AMENDING TITLE 8, B.R.C. 1981 TO CREATE AN AFFIRMATIVE OBLIGATION OF ADJACENT PROPERTY OWNERS TO MAINTAIN STREET TREES AND TITLE 9, B.R.C. 1981 TO ESTABLISH TREE PROTECTION REQUIREMENTS IN THE SITE REVIEW, SUBDIVISION, AND LANDSCAPING STANDARDS; AND**
3. **A REQUEST FOR COUNCIL DIRECTION ON PHASE 2 ACTIVITIES FOR FURTHER DEVELOPMENT OF TREE PROTECTION STANDARDS AND REGULATIONS.**

Mayor Osborne announced that this item would be postponed to a later meeting due to the late hour.

6. MATTERS FROM THE CITY MANAGER:

A. Clean Energy Study Scoping. – 10:17 p.m.

City Manager Jane Brautigam introduced the item. David Driskell distributed a handout which outlined some background and a proposed Phase I approach and process. Phase I would occur between now and the end of the year and would focus on agreeing on what we're setting out to do and preparing baseline data and analysis. Objectives for the Phase I work were defined. Council involvement would include bi-weekly energy roundtables to be held on study session

Tuesdays from 5-6pm in the Municipal building lobby. The meetings would be open to the public and the city energy team would facilitate the discussions. In addition, regular updates would be provided under Matters from the City Manager and finally a clean energy study session on November 30, 2010. Concurrent with those efforts staff would begin preparing data and analysis of the RW Beck preliminary results on municipalization, understanding Boulder's existing energy profile/data and reviewing the emissions reduction goal.

Council Member Morzel moved, seconded by Ageton to suspend the rules and continue the meeting at 10:40 p.m. The motion carried 8:0; Becker absent.

7. **MATTERS FROM THE CITY ATTORNEY:**

City Attorney Tom Carr reported that a spreadsheet of Xcel Public Utilities Commission dockets the City was participating in had been handed out to Council.

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL: - 10:42 p.m.**

A. **POTENTIAL CALL-UPS:**

1. **FOUR OUT-OF-CITY UTILITY AGREEMENTS AND REVOCABLE PERMITS FOR 997, 1015, 1066, AND 1275 CHERRYVALE ROAD. INFORMATION PACKET DATE: SEPTEMBER 7, 2010. LAST OPPORTUNITY FOR CALL-UP IS SEPTEMBER 21, 2010. STAFF LEVEL APPROVAL.**

Council Member Gray moved, seconded by Morzel to call-up four out-of-city utility agreements and revocable permits for 997, 1015, 1066, and 1275 Cherryvale Road.

Council Member Appelbaum asked for information about properties that currently have out-of-city water and sewer that haven't been annexed, not including Gunbarrel.

Council Member Ageton moved, seconded by Appelbaum to suspend the rules and continue the meeting at 11:10 p.m. The motion carried 8:0; Becker absent.

2. **SITE REVIEW FOR 1707 WALNUT. INFORMATION PACKET DATE: SEPTEMBER 7, 2010. LAST OPPORTUNITY FOR CALL-UP IS SEPTEMBER 7, 2010. PLANNING BOARD APPROVAL 4-2; M. YOUNG AND T. PLASS OPPOSED AND A. SHOEMAKER RECUSED.**

No action was taken on this item.

B. **CONSIDERATION OF A MOTION APPOINTING MEMBERS TO A COUNCIL RETREAT SUBCOMMITTEE. – 11:04 P.M.**

Mayor Osborne, Council Member Cowles and Council Member Karakehian were appointed to the Council Retreat subcommittee.

**C. CONSIDERATION OF A MOTION TO ADOPT A RESOLUTION IN
SUPPORT OF THE CITY OF BOULDER'S 2010 BALLOT MEASURE 2B,
THE UTILITY OCCUPATION TAX.**

Mayor Osborne moved, seconded by Gray to adopt Resolution No. 1080 in support of the City of Boulder's 2010 Ballot Issue 2B, the Utility Occupation Tax.

OTHER MATTERS:

Council Member Gray moved, seconded by Osborne to bring back a resolution supporting Boulder County's social service Ballot measures.

Deputy Mayor Wilson moved, seconded by Gray to bring back a resolution supporting Boulder County's school issue ballot measure.

9. PUBLIC COMMENT ON MATTERS:

None.

10. FINAL DECISIONS ON MATTERS: - 11:12 p.m.

Vote was taken on the motion to call-up four out-of-city utility agreements and revocable permits for 997, 1015, 1066, and 1275 Cherryvale Road. The motion carried 8:0; Becker absent. 11:10 p.m.

Vote was taken on the motion to adopt Resolution No. 1080 in support of the city of Boulder's 2010 Ballot measure 2B, the Utility Occupation Tax. The motion carried 8:0; Becker absent.

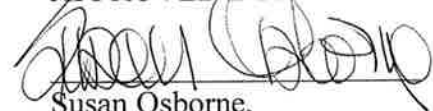
Vote was taken on the motion to bring back a resolution supporting Boulder County's social service Ballot measures. The motion carried 6:2; Ageton and Morzel opposed, Becker absent.

Vote was taken on the motion to bring back a resolution supporting Boulder County's school issue ballot measure. The motion failed 4:4; Ageton, Appelbaum, Cowles and Morzel opposed; Gray, Karakehian, Osborne and Wilson in favor. 11:15 p.m.

11. ADJOURNMENT

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 11:15 P.M.

APPROVED BY:



Susan Osborne,

Mayor

ATTEST:



Alisa D. Lewis,
City Clerk